

VIA eFILE

PATENT APPLICATION  
Docket No. 17653.31A.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
	Sergei Turitsyn, et al.	)
		)
Serial No.:	10/553,338	) Art Unit
		) 2613
Filed:	October 14, 2005	)
		)
Conf. No.:	2069	)
		)
For:	DATA FORMAT FOR HIGH BIT RATE	)
	WDM TRANSMISSION	)
		)
Examiner:	Agustin Bello	)
		)
Customer No.:	022913	)

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Pursuant to 37 C.F.R. § 1.191, applicant hereby appeals the decision of the Examiner rejecting pending Claims 1, 3, 5-7 and 10-24 contained in the Office Action mailed July 23, 2009. Applicant appeals the decision of the Examiner with respect to each of the pending claims.

Payment in the amount of \$270.00 is submitted herewith pursuant to 37 C.F.R. & 41.20 (b)(1) to cover the payment of the fees with respect to this Notice of Appeal. The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to **Deposit Account No. 23-3178**:

(1) any filing fees required under 37 CFR § 1.16; or (2) any patent application and reexamination processing fees under 37 CFR § 1.17.

Dated this 17<sup>th</sup> day of December, 2009.

Respectfully submitted,

/Adrian J. Lee, Reg. # 42785/

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